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TAGS: [PGOV](#) [KDEM](#) [SNAR](#) [KCRM](#) [ETRD](#) [PE](#)  
SUBJECT: DISCREDITED CONGRESS COMPLICATES POLITICAL PANORAMA

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[1](#)B. B. LIMA 1258  
[1](#)C. C. LIMA 1651

Classified By: Amb. P Michael McKinley for reasons 1.4b and d.

[1](#)1. (C) Summary: Peru's democratic consolidation faces a number of obstacles, not least of which is a legislative branch perceived as lacking in credibility. Exacerbating this problem, the unicameral Congress has recently been beset by a series of scandals related to the unethical behavior and questionable associations of some of its members. Congress does fulfill its constitutional role effectively at times, reviewing bills submitted by the executive and calling ministers to account. Even so, scandals are undermining Congress' capacity to forge ahead on needed structural reforms and important issues of national interest. End Summary.

#### Congress' Lack of Credibility

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[1](#)2. (C) Peru's democratic consolidation faces a number of obstacles, including weak public institutions at the national and sub-national levels, a lack of state presence in broad swaths of the country, and a judiciary widely seen as representing political interests rather than the pursuit of justice in many cases. Theoretically, in a democratic system, Congress' first function is representative. In Peru, this role is complicated by a structure of representation in which multiple members of Congress represent the same (sometimes large) region. Beyond that, the legislative branch is often viewed as part of the problem rather than the solution -- as unrepresentative, ineffective and lacking in credibility. This is reflected in the legislature's dismally low approval ratings, dropping below 10% in recent polls, and a perception that Congress has failed to engage constructively on important national issues.

Many local analysts also fault weaknesses in Peru's political party system, including laws that permit the proliferation of national parties and regional political movements, that erode Congress's legitimacy and effectiveness.

#### Problems Exacerbated by Scandals

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[1](#)3. (C) Congress' image and credibility have also been tarnished by a series of high-profile scandals, mostly related to the unethical behavior of its members. According to media reports, 82 of the current Congress's 120 members (over two-thirds) have been referred to the legislature's

Ethics Committee for allegations of misconduct. (Twelve members have faced suspension.) Alleged misconduct has ranged from the petty to the absurd -- one Congressman reportedly falsified a voucher for his meal at a fast-food chicken restaurant, another allegedly forced an advisor to wash her feet, yet another was accused of using his staffer as a watchman at his personal residence.

14. (C) But there have also been more serious allegations of payroll fraud, corruption and ties with drug trafficking. For example, former advisor to PNP congresswoman and cocalera leader Nancy Obregon was caught by police with 140 kilos of cocaine in the trunk of his car, suggesting a worrisome link between drug traffickers and some members of Congress. Even the widely-respected head of the PPC party (a key political bloc in Congress) and former presidential candidate Lourdes Flores has been tainted by her ties to a transportation entrepreneur whose fortune is rumored to have originated in drug trafficking. As one member of Congress recently told us, "Frankly, I'm embarrassed to be in Congress these days."

#### Troubles Undermine Needed Reforms

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15. (C) Congress' current woes are complicating its ability to implement much-needed structural reforms. Though there have been partial victories, including a recent change in the legislative schedule requiring members to spend at least five consecutive days per month in the regions they represent -- intended to strengthen the historically weak link between representatives and their political constituencies -- Congress has faltered on larger issues. For example, there has been little movement on reviving the Senate (eliminated in the 1993 Constitution), establishing the election of a percentage of congressional members every two years (rather than all at once, as is the case in the current system), or redrawing districts/constituencies to make them more manageable. In short, there appears little prospect for near-term progress on reforms, given Congress's discredited image and its low credibility.

#### Occasional Efficacy

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16. (C) However, Congress does fulfill its constitutional role effectively at times, reviewing bills submitted by the executive and calling Ministers to account. Congress can call Ministers of state to the legislature to answer questions, and the members' questioning provides oversight of the executive, helping to shed light on important national issues. Congressional committees have investigated and issued reports on scandals, such as the high-profile "petro-audio" scandal that caused a cabinet to resign last year (reftel C), and one congressional committee continues to press the judiciary to release information concerning the illegal wire-tapping activities that were behind the scandal.

Finally, Congress has been effective at containing radical debate, stifling sometimes hairbrained legislative proposals, and maintaining a pragmatic orientation in debates and discussions on legislation.

#### Comment: Complicated Political Challenges

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17. (C) Despite these areas of effective governance, Congress' structural weaknesses undermine its ability or willingness to tackle issues of national import. Some analysts suggest that Congress will be extremely reluctant to approve any new legislation to replace the two executive decrees repealed in the wake of the June 5 violence in Bagua (reftels A and B), unless there is a clear and broad social consensus to do so. One Congressman recently told us that the legislators felt 'burned' by the executive branch during decree repeal episode, and would likely avoid risking a repeat embarrassment until the social and political temperatures have simmered down -- which could take time. Meanwhile, Congress remains easy prey for anti-system actors who are eager to paint the formal political structure as prone to passivity, corruption and paralysis.

MCKINLEY